

COURT UNITED STATES DISTRICT COURT  
COUNTY OF SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION

Index No. 05 CV 5231

against

AMERINDO INVESTMENT ADVISORS INC. ALBERTO WILLIAM  
VILAR AND GARY ALAN TANAKA

Plaintiff(s)}

Defendant(s)}

AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)  
IN A CIVIL CASE  
SEE ATTACHED RIDER

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a  
party herein, is over 18 years of age and resides at NEW YORK, NEW YORK  
That on 6/21/05 at 7:40 P.M., at 860 UNITED NATIONS PLAZA, NEW YORK, N.Y. #25D  
deponent served the within summons, and complaint on ALBERTO WILLIAM VILAR  
IN A CIVIL CASE defendant therein named,  
SEE ATTACHED RIDER

## INDIVIDUAL

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as  
said defendant therein.

## CORPORATION

a corporation, by delivering therat a true copy of each to  
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and  
knew said individual to be thereof.

## SUITABLE AGE PERSON

by delivering therat a true copy of each to a person of suitable age  
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

## AFFIXING TO DOOR, ETC.

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—  
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age  
and discretion thereat, having called thereMAILING TO  
RESIDENCE  
USE WITH 3 OR 4Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to  
defendant at defendant's last known residence, at and deposited  
said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.MAILING TO  
BUSINESS  
USE WITH 3 OR 4Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly  
addressed to defendant at defendant's actual place of business, at  
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore  
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the  
communication was from an attorney or concerned an action against the defendant.DESCRIPTION  
USE WITH  
1, 2, OR 3

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input checked="" type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input checked="" type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input checked="" type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN  
NYC CIVIL CT.The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional  
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).MILITARY  
SERVICEI asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any  
capacity whatever and received a negative reply. Recipient *wore ordinary civilian clothes and no military uniform*. The source of  
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and  
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either  
the State or in the Federal statutes.

JOHN DICANIO

Notary Public, State of New York  
No. 01-DI4977768  
Qualified in Westchester County  
Commission Expires Feb. 11, 2007

PRINT NAME beneath signature

SHARON ALEXA ENGERSON

License No. 1192351



INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION

PLAINTIFF

AFFIDAVIT OF  
SERVICE RIDER

-AGAINST-

AMERINDO INVESTMENT ADVISORS INC.,  
ALBERTO WILLIAM VILAR AND GARY  
ALAN TANAKA,

DEFENDANT

-----X

- SUMMONS AND COMPLAINT IN A CIVIL CASE
- CIVIL COVER SHEET
- DECLARATION SUPPORTING MOTION TO BE ADMITTED PRO  
HAC VICE
- EMERGENCY APPLICATION FOR A TEMPORARY RESTRAINING  
ORDER, PRELIMINARY INJUNCTION, ORDER TO SHOW CAUSE,  
AND OTHER RELIEF
- LOCAL RULE 6.1(d) DECLARATION OF PAUL G. GIZZI IN SUPPORT OF  
PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S EMERGENCY  
APPLICATION FOR A TEMPORARY RESTRAINING ORDER, PRELIMINARY  
INJUNCTION, ORDER TO SHOW CAUSE, AND OTHER RELIEF
- (PROPOSED) ORDER TO SHOW CAUSE, TEMPORARY RESTRAINING ORDER AND  
ORDER APPOINTING A RECEIVER AND GRANTING OTHER RELIEF
- DECLARATION OF ELZBIETA WRAGA IN SUPPORT OF PLAINTIFF  
AND EXCHANGE COMMISSION'S EMERGENCY APPLICATION FOR A  
TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION, ORDER TO  
SHOW CAUSE, AND OTHER RELIEF
- MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S EMERGENCY  
APPLICATION FOR A TEMPORARY RESTRAINING ORDER, PRELIMINARY  
INJUNCTION, ORDER TO SHOW CAUSE, AND OTHER RELIEF

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**SECURITIES AND EXCHANGE COMMISSION V. AMERINDO INVESTMENT, ET AL**

- (PROPOSED) PRELIMINARY INJUNCTION ORDER AND ORDER TO APPOINT A MONITOR FOR AMERINDO AND TO CONDUCT AN EXAMINATION OF CLIENT ACCOUNTS**
- SUPPLEMENTAL DECLARATION SUPPORT MOTION TO BE ADMITTED PRO HAC VICE WITH CERTIFICATES OF GOOD STANDING ATTACHED**